

The Director of Central Intelligence, 1901Y

EXECUTIVE OFFICE OF THE PRESIDENT
NATIONAL SECURITY COUNCIL
WASHINGTON

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June 20, 1951

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MEMORANDUM FOR THE NATIONAL SECURITY COUNCIL

SUBJECT: Regulations Establishing Minimum Standards for Security Clearance for Access to Classified Information in the Executive Departments and Agencies of the United States Government

REFERENCE: Memos for NSC from Executive Secretary, subject, "Minimum Standards for the Handling and Transmission of Classified Information", dated January 2 and June 19, 1951

The enclosed memorandum by the Chairman, Interdepartmental Committee on Internal Security (ICIS), and its attached draft Executive Order on the subject, are transmitted herewith for consideration by the National Security Council, the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Director of Defense Mobilization, the Chairman, Atomic Energy Commission, and the Chairman, Civil Service Commission and will be scheduled on the agenda of an early Council meeting.

Attention is particularly invited to the following points:

- a. It is the opinion of the ICIS that the implementation of the enclosed draft Executive Order is dependent on and should take place only after the promulgation of the Executive Order on "Minimum Standards for the Handling and Transmission of Classified Information", attached to the reference memorandum of January 2, 1951.
- b. The ICIS unanimously recommends approval and promulgation of the attached Executive Order, with the exception of the three differing views with respect to a proposed Part X, "Right to Appeal", as stated in the enclosed memorandum.
- c. The draft Executive Order incorporates and is based on the views of the member agencies of the ICIS as well as the Department of Commerce, the Atomic Energy Commission, the Civil Service Commission, the Central Intelligence Agency and the Bureau of the Budget; and it contains all the comments and suggestions furnished by the Interdepartmental Intelligence Conference (IIC),

11 July - NSC adopting
subject to changes in
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with the exception of the views of the IIC concerning Part IX, "Record of Investigation and Clearance", stated in paragraphs 2 and 3 of the enclosed memorandum.

Accordingly, it is recommended that, if the draft Executive Order is adopted, including decisions with respect to the divergent views concerning Part IX and the new Part X, it be submitted to the President for consideration with the recommendation that he approve it and direct its promulgation by the Director, Bureau of the Budget.

JAMES S. LAY, Jr.
Executive Secretary

cc: The Secretary of the Treasury
The Attorney General
The Secretary of Commerce
The Director of Defense Mobilization
The Chairman, Atomic Energy Commission
The Chairman, Civil Service Commission
The Director, Bureau of the Budget

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INTERDEPARTMENTAL COMMITTEE ON INTERNAL SECURITY
2107 Department of Justice, Washington 25, D. C.

June 20, 1951

ICIS-P57/39

MEMORANDUM FOR: Mr. J. Patrick Coyne
NSC Representative on Internal Security

SUBJECT: Regulations Establishing Minimum Standards for
Security Clearance for Access to Classified
Information in the Executive Departments and
Agencies of the United States Government.

ICIS
Memo

Transmitted herewith for the consideration of the National Security Council is a draft Executive Order dated June 14, 1951, prescribing regulations establishing minimum standards for security clearance for access to classified information in the executive departments and agencies of the United States Government. These draft regulations incorporate and are based on the views of the member agencies of the ICIS, as well as the comments of the Department of Commerce, the Civil Service Commission, the Atomic Energy Commission, the Central Intelligence Agency and the Bureau of the Budget.

With one exception the draft contains all the comments and suggestions furnished, at the request of the ICIS, by the Interdepartmental Intelligence Conference (IIC). The IIC believes that Part IX "Record of Investigation and Clearance" should not require a notation in an individual's file that clearance has been denied him. Such an entry, in the IIC's opinion, would sometimes be unjust because some denials of clearance are made on the basis of lack of maturity or other reasons not involving character deficiencies or subversive tendencies. In the latter situations, the individuals would have a notation of denial placed on their records whereas many less qualified individuals within a department or agency will not be selected for classified work, and would not therefore have a notation in their files that they have not been cleared for access to classified information.

These views of the IIC to the effect that "denials" should not be made of record have been met to a degree by limiting such entry of denial to the "security" file of the department or agency as distinguished from the "personnel" file of the individual. The ICIS believes that the making of such an entry is necessary and that the individual is sufficiently protected by omitting such notation from the individual's personnel file.

With the following exception, the ICIS unanimously recommends approval and promulgation of these regulations. There are differing opinions among the agencies as to whether the Executive Order should contain provision for hearing or appeal in cases where access to

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classified information is denied for security reasons. The Departments of State and Commerce, the National Security Resources Board and the Atomic Energy Commission favor the inclusion of such a provision. A representative of the Bureau of the Budget who attended on an ad hoc basis favored the inclusion of such a provision but, although informal staff approval has been received, that agency has not indicated its final position. The Departments of Defense and Treasury, the Central Intelligence Agency and the Civil Service Commission are opposed. The Department of Justice has no objection to such inclusion but feels it is unnecessary inasmuch as there is nothing in the proposed Executive Order to prevent an agency from instituting such procedures as it deems warranted.

There are further differences as to the extent to which such provision should be made. The Department of State is of the opinion that a hearing, and appeal to an appropriate authority designated by the head of the agency, should be made mandatory. The Department of State proposes that the following language be included as Part X, to read as follows:

PART X - RIGHT TO APPEAL

An employee who is denied clearance for access to classified information shall be entitled to an appeal to an appropriate authority established by the head of the agency.

In the view of the Department of State, it would be unfair to take such serious action as to deny an employee access to classified information, with the consequent reflection on his integrity and loyalty, and not provide any method of informing him of the reasons for such denial and an opportunity to defend himself.

The National Security Resources Board takes the position that the agencies should be required to afford the employee an opportunity to explain or refute the derogatory information which was the basis for the denial of a security clearance and agrees with the proposed Part X suggested by the Department of State Representative. The final determination of whether the clearance should be denied or granted would remain the responsibility of the head of the agency.

The remaining agencies in the favoring group are of the opinion that the Executive Order should not be silent in this regard but should contain at least a permissive provision for the exercise of discretion as to the institution of such procedures as follows:

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PART X - RIGHT TO APPEAL

An employee for whom clearance for access to classified information is withheld may be afforded an appeal in accordance with procedures established by the head of the agency.

The agencies opposing notification of denial, hearing and appeal are uniform in the view that the security of classified information is paramount and the regulations should not contain any implication that an individual is entitled, merely by virtue of being employed by the Government, to have access thereto. They feel that so long as the head of a department or agency is responsible for the security of such information, he must have the authority to deny it to any individual concerning whose integrity or trustworthiness there is any reasonable doubt. The matter of administering these regulations in any given department or agency so as to avoid reflection on the integrity and trustworthiness of an employee is one which should be left to the head of such department or agency without making either mandatory or permissive reference to hearing or appeal procedures in the regulations.

Irrespective of the ultimate decision with respect to the item of difference, it is the opinion of the ICIS that the implementation of the enclosed regulations is dependent on and should take place only after the promulgation of the Executive Order, previously submitted by ICIS, and adopted by the NSC, prescribing regulations establishing minimum standards for the handling and transmission of classified information. As you know, the President, on January 16, 1951, approved the issuance of the Executive Order and directed its issuance by the Bureau of the Budget.

You will note that the Executive Order contains a provision designating the Attorney General as the officer who upon request will render interpretations of these regulations.

Raymond P. Whearty
Chairman, Interdepartmental Committee on
Internal Security

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June 14, 1951

EXECUTIVE ORDER

PRESCRIBING REGULATIONS ESTABLISHING
MINIMUM STANDARDS FOR SECURITY CLEAR-
ANCE FOR ACCESS TO CLASSIFIED INFOR-
MATION IN THE EXECUTIVE DEPARTMENTS
AND AGENCIES OF THE UNITED STATES
GOVERNMENT

WHEREAS on the day of 1951, there was
promulgated Executive Order prescribing regulations establishing
Minimum Standards for the classification, transmission and handling of
classified information, within the Executive Branch of the Federal
Government, for the purpose of safeguarding official information the
unauthorized disclosure of which would or could harm, tend to impair
• or otherwise threaten the national security; and

WHEREAS it is necessary, in order adequately to protect and
safeguard such official information, that there be established in
addition to the above mentioned regulations a system whereby classified
information in the possession of the Departments and Agencies of the
Executive Branch of the Government shall be made available or dis-
seminated to individuals employed by, hired on a contractual basis by,
or serving in advisory capacity to any executive department or agency,
whether on a permanent, temporary or part-time basis and whether or not
they are compensated for their services rendered, only in accordance
with a uniform minimum policy designed to maintain the security of such
information by restricting and limiting its dissemination to such of
those individuals as have been granted security clearances pursuant to
such policy; and

WHEREAS it is desirable and proper that the Minimum Standards
for procedures, designed to protect the national security by restricting
the dissemination of such information to individuals who have been
granted such security clearances, should be uniformly applicable to
all Departments and Agencies of the Executive Branch of the Government
and should be known to and understood by those who deal with or seek
employment with the Federal Government:

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Draft
Exec
Order

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NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States,

I hereby prescribe the following regulations establishing Minimum Standards within the Federal Government for security clearances for access to classified official information, for the purpose of safeguarding against disclosure to unauthorized persons of such information upon which the security of the nation rests or depends.

These regulations shall be applicable throughout the Executive Branch of the Government to the extent not inconsistent with law. Nothing in these regulations shall be construed to replace, change, or otherwise be applicable with respect to (a) any material or information protected against disclosure by any statute or (b) any restrictions upon the dissemination of material or information to any persons which are imposed by any statute. Nothing in these regulations shall be construed to authorize the dissemination, release, receipt, handling or transmission of classified information contrary to the provisions of any law, Executive Order or Presidential Directive which restricts the same.

These regulations shall take effect ninety days after publication in the Federal Register and I call upon all citizens of the United States to join with the Federal Government in a concerted and continuing effort to prevent disclosure, to those who are inimical to the interests of the United States, of information which is in any way concerned with the security of our nation.

PART I -- PURPOSE

Security regulations governing the protection of classified information provide that no person is entitled solely by virtue of his office or position to knowledge or possession of classified material, and that such material will be entrusted only to those individuals whose official governmental duties require such knowledge or possession.

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The purposes of these Minimum Standards therefore are

(1) to establish the policy and general procedure relating to personnel security investigations and the clearance of personnel within the Executive Departments and Agencies of the United States who, by reason of their assignment or employment, require access to classified information; (2) to define and establish Minimum Standards of investigation and criteria upon which clearances may be granted; and (3) to effect general uniformity in the field of personnel security investigations and clearances throughout the said Executive Departments and Agencies, so that the interchange of information within the Government pertaining to completed personnel security investigations and granted clearances may be facilitated.

PART II - GENERAL CRITERIA

As a general policy no person will be granted a security clearance if information is developed which raises a doubt regarding his trustworthiness, ~~or loyalty to the United States.~~

PART III - TYPES OF INVESTIGATIONS

1. When the investigation of any individual is required upon which a clearance may be granted, the type of investigation to be conducted will depend on the degree of classified information to which he will require access. Upon determination of the degree of classification, the minimum standards of investigation as set forth herein will be followed.

2. Personnel security investigations will be of two types:

- a. National Agency Check.
- b. Background Investigations.

3. These minimum investigative standards may be raised in any particular case or category of cases, if deemed necessary by the department or agency concerned.

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PART IV - NATIONAL AGENCY CHECK

1. A National Agency Check consists of a check, by the department or agency concerned, or by the Civil Service Commission, with the following agencies:

- a. Federal Bureau of Investigation (FBI). The FBI will conduct a complete fingerprint file and name check. A properly completed non-criminal type fingerprint card must be submitted to the FBI by the department or agency concerned (see Part VIII, Paragraph 1a).
- b. Assistant Chief of Staff, G-2, Department of Army (G-2), Office of Naval Intelligence, Department of the Navy (ONI), or Office of Special Investigations, The Inspector General, USAF, Department of the Air Force (OSI), Chief, Intelligence Division (OIN), Coast Guard, as appropriate, will be checked when the individual is or has been a member of the armed forces or a civilian employee of the Coast Guard or the Department of Defense or its predecessors, the Departments of War and Navy and/or the National Military Establishment.
- c. Civil Service Commission (CSC). Investigative and Master Index Files will be checked in all cases where the individual is or has been an employee of the United States Government.
- d. Immigration and Naturalization Service (I&NS), or other appropriate records, will be checked in all cases where the individual is an alien or a naturalized citizen.
- e. House Committee on Un-American Activities (HCUA), will be checked when considered pertinent to the purpose of the inquiry.

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- f. Other Agencies, will be checked when considered pertinent to the purpose of the inquiry.

2. In the event that derogatory or questionable information concerning an individual is disclosed by a National Agency Check, the inquiry will be extended as necessary to obtain such additional information as may be required as a basis upon which to grant or deny clearance.

PART V - BACKGROUND INVESTIGATION

1. A background investigation is one in which inquiry is made as outlined in Part VI into pertinent facts having a bearing on the loyalty and fitness of the individual. It will normally cover the period of his life from January 1, 1937 to the date of the investigation or from the date of his eighteenth birthday, whichever is the shorter period unless:

- a. Derogatory information is developed in the course of the investigation, in which event the investigation will be extended to any period of the individual's life necessary to prove or disprove the allegations; or,
- b. Additional investigation is specifically required by competent authority.

2. In the event, however, that credible derogatory information is developed which raises any question of loyalty to the Government of the United States or which indicates subversive activity, the case will immediately be referred to the Federal Bureau of Investigation, except as may be otherwise agreed between the Federal Bureau of Investigation and the department or agency concerned.

PART VI - COMPONENT PARTS OF BACKGROUND INVESTIGATION

- 1. National Agency Check.
- 2. Birth Records. The individual's date and place of birth will be verified through school, employment or other

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records. Only if a discrepancy appears need vital statistics, and any other records necessary to establish correct date and place of birth be checked.

3. Education. Attendance and activities at last school or college will be verified, except service schools of the Armed Forces. In addition to checking school records, persons in a position to know of the individual's activities while in attendance should be interviewed, if available.
4. Employment. The employment records of present and former employers since January 1, 1937, or since the eighteenth birthday of the individual, whichever involves the shorter period, will be checked. Former employers and co-workers should be interviewed, if available, to ascertain the loyalty, character and reputation of the individual.
5. References. References should be interviewed. Interviews should also be had with persons (not relatives or former employers) who have knowledge of the individual's background and activities, but who are not given as references by the individual.
6. Neighborhood Investigations. Where deemed necessary or expedient in proving or disproving derogatory information, neighborhood investigations shall be made.
7. Criminal Record. The records of Police Departments and other law enforcement agencies in the vicinities where the individual has resided or been employed for substantial periods of time should be checked if information developed from a National Agency Check is not considered adequate. The records of local FBI offices should not be checked

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unless special circumstances warrant the advisability of so doing.

8. Military Service. The personnel file covering any period of service of the individual in the armed forces will be checked where available.
9. Citizenship Status. In all cases the citizenship status of the individual will be established.
 - a. United States Citizens. (See Paragraph 2 of this Part.)
 - b. Aliens. The records of the Immigration and Naturalization Service, Washington, D. C., or other appropriate records, will be checked to verify date and place of birth, legal entry into the United States, and to ascertain whether the individual has indicated an intention to become a citizen of the United States.
 - c. Naturalized Citizens. The naturalization and date and place of birth will be verified through appropriate records.
10. Foreign Travel. If the individual has traveled outside the United States since January 1, 1937, except in United States military service, the Department of State records should be checked to determine reasons for such travel. In the investigation of individuals, other than in government employment, currently domiciled abroad or who were domiciled abroad since July 1, 1946, records of the Central Intelligence Agency (CIA) should also be checked.
11. Credit Record. Whenever necessary, credit agencies and/or credit references should be contacted in those places where the individual has resided for substantial periods of time since January 1, 1937 or since the eighteenth birthday, whichever is the shorter period.

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12. Foreign Connections. In the course of the investigation, the extent and purpose of contacts and associations with foreign nationals or organizations should be ascertained.
13. Organizations. During the course of the investigation, as set forth above and by examination of Personal History Statements and other records examined, efforts should be made to determine if the individual had:.

"Membership in, affiliation with or sympathetic association with any foreign or domestic organization, association, movement, group or combination of persons, designated by the Attorney General as totalitarian, fascist, communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means." (Executive Order 9835, Part V).

In the event credible information is developed indicating such membership or affiliation, the investigation should be immediately referred to the Federal Bureau of Investigation as contemplated in Part V, 2, supra, except as otherwise indicated in that section.

PART VII - CLEARANCES

1. Citizens of the United States employed by, hired on a contractual basis by, or serving in an advisory capacity to any executive department or agency, whether on a permanent, temporary or part-time basis and whether or not they are compensated for their services rendered,

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may be declared eligible for access to classified information by being granted a final or interim clearance under the standards set forth below for each category of information. When an interim clearance is granted the agency granting the same must insure that the additional investigative procedure necessary to satisfy the final clearance requirements is in progress or must immediately initiate such additional procedure.

a. TOP SECRET(1) Final Clearance

- (a) Background investigation or,
- (b) National Agency Check, plus

- 1. Continuous honorable active duty as a member of the Armed Forces or as a civilian in the Government service or a combination of both, for a minimum of ten consecutive years (without more than one break not to exceed 90 days) immediately preceding the date of the current investigation, and provided there is no information available indicating disloyalty or casting doubt on the character, integrity, or discretion of the individual, plus
- 2. Check of the agency's security files or other appropriate records to determine that no significant derogatory information concerning him is contained therein, or

- (c) When the individual occupies a specific office in the Government to which he has been appointed by the President.

(2) Interim Clearance

- (a) National Agency Check or

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- (b) Continuous honorable active duty as a member of the Armed Forces or as a civilian in the Government service or a combination of both, for a minimum of five consecutive years (without more than one break not to exceed 90 days) immediately preceding the date of the current investigation, and provided there is no information available indicating disloyalty or casting doubt on the character, integrity, or discretion of the individual.

b. SECRET

(1) Final Clearance

- (a) Military - A National Agency Check.
- (b) Civilian - A National Agency Check or a record check and inquiry conducted by the Civil Service Commission as provided in Paragraph 3, Part I of Executive Order 9835. (See Part VIII, Paragraph 1a, infra.)

(2) Interim Clearance

- (a) Military:
 - 1. Check of 201 File or Bureau of Naval Personnel File, and if one exists, the Intelligence Field File or Special File or ONI Case History File; and there is no information contained in these files reflecting on the loyalty, character, integrity, or discretion of the individual.
- (b) Civilian:
 - 1. Civil Service Commission Preappointment Loyalty Check; (This is a check of major

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loyalty files by the Civil Service Commission, conducted prior to an applicant's appointment to a position designated by the head of the employing agency as sensitive) or Records Check conducted by the FBI under Part VI of Executive Order 9835, relating to incumbents.

c. CONFIDENTIAL(1) Final Clearance(a) Military and Civilian Employees:

1. Formal clearance will not be required for access to "Confidential" material or information provided the individual concerned is a member of the Armed Services or, if a regular civilian employee, has been cleared through the investigation conducted by the Civil Service Commission under Part I of Executive Order 9835 or the FBI under Part VI of Executive Order 9835 relating to incumbents, and there is no information available indicating disloyalty or casting any doubt on the character, integrity, or discretion of the individual.

(b) Consultants and persons hired on a contractual basis by or serving in an advisory capacity to any executive department or agency, whether on a permanent, temporary or part-time basis and whether or not they are compensated for their services rendered:

1. Formal clearance will be required based upon a National Agency Check, with satisfactory results.

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(2) Interim Clearance

- (a) For this purpose no Background Investigation or National Agency Check will be mandatory prior to access to "Confidential" information or material except as hereinafter provided and in specific cases where it is deemed desirable by the responsible authority in the interest of security to have either a Background Investigation or a National Agency Check. (For Aliens, see Part VII, Paragraph 2, infra.)

d. RESTRICTED

- (1) No formal clearance is required by these minimum standards for duties which require access to "Restricted" information. The appropriate officer or responsible authority may authorize access to "Restricted" information.

e. ACCESS PENDING CLEARANCE REQUIREMENTS

- (1) When it is required that a United States citizen have immediate access to "Top Secret" or "Secret" information in order for him to carry out an assigned task and the delay caused by awaiting interim clearance would be harmful to the national interest, the responsible authority concerned may authorize access, only for the purpose of carrying out the assigned task, based on the records immediately available, but must immediately institute the procedures necessary to satisfy the clearance requirements. A record of such authorizations will be made.

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2. Aliens employed by, hired on a contractual basis by, or serving in an advisory capacity to any executive department or agency, whether on a permanent, temporary or part-time basis and whether or not they are compensated for their services rendered, who require access to information classified "Confidential" or higher may be declared eligible for access to such information only by being granted a final clearance as a result of a background investigation.

a. Interim Clearance

- (1) Aliens may be granted interim clearance for access to "Confidential" information on the basis of a favorable National Agency Check pending completion of the background investigation.

b. Access Pending Clearance Requirements

- (1) When it is required that an alien have immediate access to "Confidential" information in order for him to carry out an assigned task, and the delay caused by awaiting interim clearance would be harmful to the national interest, the responsible authority concerned may authorize access, only for the purpose of carrying out the assigned task, based on the records immediately available, but must immediately institute the procedures necessary to satisfy the clearance requirements. A record of such authorizations will be made.

PART VIII - CIVIL SERVICE COMMISSION

1. Investigations.

- a. The Record Check and Voucher Inquiry Investigation conducted by the Civil Service Commission, which includes a National Agency Check as provided in Part I of Executive

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Order 9835, should be accepted for investigative or clearance purposes within executive departments and agencies as the equivalent of a National Agency Check. It will not be necessary in any case for the investigative organizations of any of the executive departments or agencies to duplicate any part of a National Agency Check as herein defined conducted under either Parts I or VI of Executive Order 9835, in order that a clearance may be granted, provided that the individual has been continually in the employ of the government since the completion of such investigation.

- b. In those cases where a background investigation is required under the provisions of these minimum standards, the National Agency Check component of the background investigation should not be duplicated by the investigative organization concerned if it is determined that the Civil Service Commission is conducting its investigation as required by Part I of Executive Order 9835.

2. Notice to Civil Service Commission and reply thereto.

- a. In order to comply with Section 2, Part III of Executive Order 9835, the investigative organizations which conduct personnel security investigations will prepare and submit, in duplicate, a "Notice of Personnel Investigation" (Standard Form 79) to the Investigations Division, United States Civil Service Commission, Washington 25, D.C., on the same day the investigation is initiated. This requirement will apply only to background investigations instituted, and not to National Agency Checks.
- b. The Civil Service Commission will search the Standard Form 79 against its investigative files and report to the

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agency on one copy any pertinent information resulting from the search, including the location of any report of previous investigation. The other copy will be filed in the master index file. The information reported by the Commission will be used to prevent duplication in investigative coverage as provided for in Part XI, infra.

PART IX - RECORD OF INVESTIGATION AND CLEARANCE

Final and interim clearances granted must be made a matter of record and made a permanent part of the security files, so as to avoid duplication of investigations and clearances. Denial of clearance must be made a matter of record in a similar fashion, ^{including a statement of the reasons for denial.} The record should reflect the date of investigation; the type of investigation conducted; the agency which conducted the investigation; the location of the investigative file; the date clearance was granted or denied; the signature of the authorized person granting or denying the clearance; and the following specific entry: "(interim) (final) clearance granted for access to (classified categories) information required in the performance of officially assigned duties."

PART X - DELEGATION OF AUTHORITY

The head of the executive department or agency concerned is authorized to clear personnel for access to classified information. Such authority may be delegated within these departments and agencies, but the heads thereof shall be responsible in all cases within their respective jurisdictions and shall not by virtue of said delegation be relieved of their responsibility under this Part.

PART XI - RECIPROCAL ACCEPTANCE OF PREVIOUS INVESTIGATIONS AND CLEARANCES

1. It is highly desirable that responsible authorities within the executive departments and agencies accept from each other on a mutual

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and reciprocal basis the results of previous investigations, and previous clearances which have been granted by appropriate authority. Such reciprocation will avoid the repetitious filing of Personal History Statements, and the time and expense of multiple investigations and multiple clearances. However, this applies only where a prior investigation by an investigative agency of the Government meets the standards prescribed herein. If the prior investigation does not meet such standards, supplemental or additional investigation should be conducted.

2. The prior clearance ^{of, or denial of access to, classified information,} an individual by an appropriate authority of one department or agency will not, however, be binding on another department or agency. The ultimate authority to grant ^{or deny} clearance in any case will rest with the head of the department or agency who is responsible for the security of the information to which the individual in question may be granted access.

PART XII - PRIOR CLEARANCES

At the discretion of the head of an agency, the applicability of these minimum standards will not affect clearances granted prior to the date of publication of these regulations.

PART XIII - ACCESS TO ATOMIC ENERGY ACT
"RESTRICTED DATA"

Clearance of personnel within the government for access to "Restricted Data" as defined by the Atomic Energy Act of 1946 will be governed by the provisions of that Act and by the regulations of, or agreements with, the Atomic Energy Commission.

PART XIV - CANCELLATION OF INVESTIGATIONS

Some personnel security investigative cases pending may be no longer necessary, for such reasons as the decease of the individual, separation from the service, or a change in employment; or for some other non-security reason. In those instances, in order to save time, effort,

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and expense, each requesting agency will promptly notify the appropriate investigative agency to cancel all investigations which for any reason are no longer required.

PART XV - EXISTING LAWS

Nothing herein contained will affect any authority and procedures prescribed by Executive Order 9835 dated March 21, 1947, or by any law of the United States.

PART XVI - INTERPRETATION OF REGULATIONS BY
THE ATTORNEY GENERAL

The Attorney General, upon request of the head of a department or agency or his duly designated representative, shall personally or through authorized representatives of the Department of Justice render an interpretation of these regulations in connection with any problems arising out of their administration.

THE WHITE HOUSE

, 1951